

**GLASTONBURY TOWN PLAN AND ZONING COMMISSION  
SPECIAL MEETING MINUTES OF THURSDAY, MARCH 22, 2018**

The Glastonbury Town Plan and Zoning Commission with Khara Dodds, AICP, Director of Planning and Land Use Services, and Jonathan Mullen, AICP, Planner, in attendance held a Special Meeting in Council Chambers of the Town Hall at 2155 Main Street, Glastonbury, Connecticut.

**ROLL CALL**

**Commission Members Present**

Mrs. Sharon H. Purtill, Chairman  
Mr. Robert Zanlungo  
Mr. Michael Botelho, Secretary  
Mr. Raymond Hassett  
Mr. Jacob McChesney  
Mr. Keith Shaw  
Mr. Scott Miller, Alternate  
Mr. Christopher Griffin, Alternate  
Mr. Matthew Saunig, Alternate

Chairman Purtill called the meeting to order at 7:00 P.M.

**ELECTION OF OFFICERS –TABLED**

**PUBLIC HEARINGS**

- 1. Continued Public Hearing on the Application of William Dufford for a Section 6.2 Excavation Special Permit and a Section 20.11 Groundwater Protection Permit – Dug Road and Dufford’s Landing Excavation – removal of 210,000 cubic yards of earth products on approximately 10.3 acres located between Dug Road and Dufford’s Landing –Assessor’s Lot S-4 Dug Road and Assessor’s Lot S-3A Dufford’s Landing – Rural Residence Zone and Groundwater Protection Zone 1 (William and Suzanne Dufford, Owners)**

Mr. Zanlungo recused himself from this public hearing as he is new to the Commission and has not listened to the recordings from the last meetings, so Chairman Purtill seated Commissioner Griffin as a voting member in his place.

Attorney Meghan Hope, representing the applicant, appeared before the Commission with an update on the application for an excavation special permit and a groundwater protection permit. She noted for the record that another letter from the applicant consenting to continuing the public hearing was submitted.

Regarding the possibility for a right-of-way provision for truck traffic to go through Mr. Ferrari's property, Attorney Hope stated that the applicant approached Mr. Ferrari who indicated that he would not be open to permitting access through his property. She noted that the Town Attorney determined that a 50-foot buffer would be required on both sides of the access road, and there is not enough room to go through Mr. Dufford's property without violating this buffer requirement.

Attorney Hope explained that the applicant is proposing to use the historic truck traffic pattern for the previous excavation permit and renewals, and the proposed access road has been relocated to the south so it's situated more central in the site and further away from the shared driveway with the neighbors.

With regard to Attorney Landolina's comment at the previous meeting about expert testimony being taken as gospel by the Commission, Attorney Hope said she has reviewed the law and found this statement to be inaccurate; an agency is entitled to disregard expert testimony based on other evidence in the record that undermines the expert's credibility or final conclusions, and they can ignore the appraiser's report even if there is no competing appraiser offering evidence. She cited two legal cases on this and submitted them into the record. Attorney Hope stated that adequate testimony has been presented into the record to disregard Mr. Stewart's findings regarding the application's impact on property values. In addition, she noted that Mr. Stewart's analysis didn't account for certain factors such as some comments from potential buyers and four vacant lots on Dug Road that have been purchased since the excavation first began, and these purchases demonstrate a lack of impact that the excavation has had on property values.

Regarding Mr. Hesketh's testimony/report of 2/28/18, Attorney Hope noted that there is a long track record of no traffic accidents caused by trucks as reported by the Town Engineer and Police Department, and there is ample evidence on record showing that the existing truck route is safe. In addition, there has been no damage to Town roads or bridges caused by the trucks over the last 9 years which demonstrates that these streets can handle this operation's associated traffic.

With regard to noise, Attorney Hope noted that noise levels were thoroughly reviewed by the Commission in 2011 and found not to be an issue, and the proposed excavation would be occurring further from the neighbors than the current operation.

Attorney Hope noted that there are mixed uses occurring in the neighborhood and excavation is a permitted use by special permit. She submitted a list compiled by the Building Department showing that 10 new residential homes have been constructed since 2008. Attorney Hope commented that Mr. Dufford's application meets the requirements of the regulations, and the applicant would consider accepting restrictions to address any outstanding concerns if suggested by the Commission.

William Dufford, applicant, presented the history of his family's farm and his involvement in it and other endeavors over the years, such as Dufford Construction. He reviewed the history of his Dug Road property and Dufford's Landing. Mr. Dufford explained that the excavation operation/selling of materials began when he found that the land on the Tryon Street end of his

property was not conducive to farming and he needed money to keep the farm viable. He noted that there hasn't been an accident with any of his trucks since his excavation began, and commented that his drivers are safe and cars drive a lot faster than the trucks on Dug Road. Mr. Dufford stated that he pays taxes on the land he owns, and noted that he has 19 lots remaining that could be sold and a subdivision could be developed instead of him continuing to farm his land.

Dan Pennington, Town Engineer/Manager of Physical Services, commented on Mr. Hesketh's report. He said that he agrees with his assessment that the feeder roads do not meet current design standards, but noted that many roads in Town don't, and the subdivision regulatory criteria do not stipulate that feeder roads must be up to standards. Mr. Pennington said he disagrees with Mr. Hesketh's assessment that Dug Road is unsafe, noting that there is a 9-year history of no accidents with trucks related to this project, and the current proposal is nearly identical at the same location.

The commissioners asked Mr. Pennington some questions. Chairman Purtill asked if the Town has any plans to improve Dug Road, and Mr. Pennington responded that there are some plans to improve drainage there but those are not related to this application. Commissioner Shaw asked if the Town would be able to make improvements to Dug Road as it would benefit the citizens, and Mr. Pennington replied that the Town has limited funding available for road improvements and they prioritize the improvements that are needed. Commissioner McChesney asked if roads in the area of the project site have required extra maintenance since 2008, and Mr. Pennington replied, to the best of his knowledge, they have not. Commissioner Hassettt inquired about Mr. Pennington's opinion regarding the citizens' testimony about their conflicts with trucks, and he said he agrees that the situation is less than ideal but he doesn't believe it is unsafe, as supported by the lack of accident data.

Traffic Sergeant Jeffrey Hodder confirmed for the record that the Police Department's records show no truck-related accidents/incidents or complaints filed by citizens regarding trucks on Dug Road. He noted that the Police Chief feels that trucks should come in through Dug Road from Main Street and exit via Water Street as it would be the shortest distance for them to travel.

The commissioners asked Sergeant Hodder some questions. Regarding having trucks take a right turn out of the site and head toward Main Street, Chairman Purtill asked if it would work if flagmen or police were posted there to direct traffic. Sergeant Hodder responded that having a police car posted there with its lights flashing would be better than flagmen to help slow cars down in advance, but would be quite costly. Secretary Botelho asked if Sergeant Hodder has any concerns regarding the suitability of the road to handle the truck traffic, and he replied that he has seen the trucks travel slowly through the area. Sergeant Hodder commented that he understands the citizens' concern regarding cars having to back up due to conflicts with trucks, but no complaints were found to be filed on this issue. Secretary Botelho asked for his opinion regarding the operation having its hours of operation adjusted with a later start time, and Sergeant Hodder responded that he hasn't received any complaints about conflicts between trucks and buses but agreed that it would help alleviate any issues that may exist.

Chairman Purtill called for public comment.

**Catherine Cooney, 331 Dug Road**, spoke in opposition to the application due the impact of the operation on her and her neighbors' quality of life for too long. She noted that her house is located fairly close to road, and when he trucks drive by her windows rattle. This is an everyday occurrence and the trucks are also putting wear and tear on Dug Road; she wondered if some sort of bond could be posted to be used if the roads are ruined. Ms. Cooney commented that her opinion is not based on anything personal against Mr. Dufford and she believes he is an outstanding citizen.

**Andy Reale, 167 Tryon Street**, spoke in support of the application. He said many of the neighbors also spoke in opposition to the recent brewery application, and it seems to him that they do not want any vehicles at all on their roads. Mr. Reale commented that the trucks go by his house too at safe speeds and he has no issues with them.

Attorney Carl Landolina, representing **Scott & Kristin Bissell (156 Dug Road), Skip & Julie Kamis (152 Dug Road), and Paul & Jane Demaio (148 Dug Road)**, commented that the testimony given by Attorney Hope regarding the applicant approaching Mr. Ferrari for access through his property should be considered as irrelevant as no details were provided. He said he doesn't fully understand the Town Attorney's opinion about the 50-foot buffer requirement which makes Dufford's Landing inaccessible and doesn't understand why Dug Road is the only option. With regard to his comment about the Commission considering expert testimony of a technically complex nature, due to the absence of countervailing testimony he thinks the Commission does have to believe the experts; anecdotal evidence from the applicant doesn't outweigh the testimony of an expert. Attorney Landolina noted that photographs were submitted into the record showing conflicts between cars and trucks, and he doesn't believe it's unusual that people haven't reported the conflicts to the Police Department. He said there has been no evidence provided by the applicant regarding the ability to provide adequate sight distances at Dug Road and Tryon Street, though Mr. Hesketh provided testimony that they are inadequate and do not meet the standards; he feels the Commission could deny this application based on that fact alone.

Chairman Purtill read a letter in opposition to the application submitted by **Janet Vonwodtke** into the public hearing record. She is opposed to the application on the grounds that the operation has impacted the area for too long, and she has concerns about safety on Dug Road and the quality of life in the neighborhood.

**Skip Kamis, 152 Dug Road**, commented that he has spoken in opposition to using the Dug Road route since the initial excavation permit application was filed. He noted that the character of the area has radically changed since 2008, with many more young, growing families who all wish to live in a peaceful and safe neighborhood. Mr. Kamis remarked that the proposal is dangerous, doesn't meet the regulations and is unfair to him and his neighbors; he urged the Commission to deny the application.

**Timothy Lamb, 97 Great Pond Road**, spoke in support of the application. He said he has been running on Dug Road for many years and has never had an issue with the trucks. Mr. Lamb said he was aware that excavation could occur in the area when he purchased his home, and he feels that it would be unfortunate to see Mr. Dufford's property rights taken away. He commented that Mr. Dufford is a great citizen of Glastonbury.

**Stephanie Koch, 115 Dug Road**, spoke in opposition to the proposal. She noted that she moved to Dug Road with her family last year due to the expectation of peacefulness in the area. They expected to see tractors and horses but not triaxle trucks. Ms. Koch said that her property was on the market for a while before they purchased it due to the excavation operation, and they were told it would be ending soon. She voiced concern over her son's safety when he is playing/riding his bike in their driveway.

**Shannon Insero, 46 Dug Road**, spoke in opposition to the proposal, noting that she would not have had her family's home built there had they known the excavation operation was not ending. She said she is disheartened and worries about the safety of her son when he is playing outside. Ms. Insero said she has had to back up her car due to conflicts with trucks many times, frequently with her son in the car. She commented that fire trucks cannot safely come down Dug Road and noted that she had to have a sprinkler system installed when the home was built because of that issue.

**Bethanne Dufford Couture** commented on her father's hard work and integrity, noting that he has always been devoted to the Town. She said that if he was greedy he would have developed a 26-lot subdivision here a long time ago, but he is very committed to keep the farmland open and accessible and to continue farming. Ms. Couture noted that making improvements to Dug Road is the Town's issue, and commented that the trucks associated with the excavation are not the only trucks to use these roads. She said they abide by all the rules and regulations and meet or exceed all concessions for their permit. Ms. Couture asked the Commission to vote in favor of the application, as testimony has been provided that it meets the standards.

Attorney Hope responded to Attorney Landolina's remark about inadequate sight lines. She noted that no concerns on this matter were reported by the Town's legal traffic authority. They agree with Mr. Hesketh's assessment that the sight line is limited to the south due to existing vegetation; she submitted a document into the record showing this vegetation and said she hopes it can be cleared as it is in the Town right-of-way. Attorney Hope commented that she understands that a balance needs to be considered, but Mr. Dufford should be allowed to excavate his resources as his application meets the regulatory standards and the Commission has granted approval of the excavation permit for the past ten years during which time there have been no accidents or injuries associated with the operation.

There being no further comments or questions by citizens or commissioners, Chairman Purtill closed the public hearing on this matter.

**Motion By:** Secretary Botelho

**Seconded:** Commissioner Hassett

MOVED, that the Town Plan and Zoning Commission approves the application of William Dufford for a Section 6.2 Excavation Special Permit and a Section 20 Groundwater Protection Permit – excavation of approximately 210,000 cubic yards of on a 10.3 acre area – Assessor’s Lots S-3A Dufford’s Landing and S-4 Dug Road – Rural Residential Zone and Ground Water Protection Zone 1, in accordance with the following plans, on file on the Office of Community Development, with the asterisked plan also on file on the Town’s land records:

“OVERALL EXCAVATION PLAN DUFFORDS LANDING EXCAVATION – PHASE I PREPARED FOR WILLIAM DUFFORD GLASTONBURY, CONN. MEGSON HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JHS DRW. BY: PEJ DATE: 11-23-16 SCALE: 1”=100’ SHEET 1 OF 1 MAP NO. 116-10-10A REV. 6-26-17 REVIEW COMMENTS REV. 8-7-17 REVIEW COMMENTS REV. 11-21-17 TOWN STAFF COMMENTS REV. 2-23-8 ACCESS DRIVEWAY”

\*“GRADING PLAN & STORM WATER POLLUTION CONTROL PLAN DUFFORDS LANDING EXCAVATION – PHASE 1 PREPARED FOR WILLIAM DUFFORD GLASTONBURY, CONN. MEGSON HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CK. BY: JLH DRW. BY: JHS DATE: 2-24-11 SCALE: 1”=100’ SHEET 1 OF 1 MAP NO. 116-10-10A REV. 6-26-17 REVIEW COMMENTS REV. 8-7-17 REVIEW COMMENTS REV. 11-21-17 TOWN STAFF COMMENTS REV. 2-23-8 ACCESS DRIVEWAY”

And

1. The Section 6.2 Excavation Special Permit shall expire on January 16, 2020.
2. The operating schedule shall be as follows:
  - a. Monday through Friday exclusive of State holidays (except Columbus & Veterans Day) 7:00 a.m. to 4:00 p.m.
  - b. The proposed processing and screening of on-site material is as follows:
    - i. Limited to no more than 40 days per year; and
    - ii. Monday through Friday 8 a.m. to 3 p.m.
  - c. Equipment start-up and /or idling on or adjacent to the site shall not be permitted prior to the approved hours of operation.
  - d. The permit holder shall report days of operation to the Office of Community Development on a quarterly basis commencing on February 1, 2018 and quarterly thereafter.
3. In compliance with the conditions as recommended by the Conservation Commission during its meeting of December 7, 2017.
4. In compliance with:
  - a. Standards contained in a report from the Fire Marshal, File #17-023R, plans reviewed 01-09-18.

5. In adherence to:
  - a. The Town Engineer's memorandum dated January 9, 2018.
  - b. The Police Department's memoranda dated July 12, 2017 and January 9, 2018.
  - c. The Health Department Director's memorandum dated January 12, 2018.

**Discussion:** Commissioner Hassett stated that there is no question about Mr. Dufford's integrity or his contributions to the community over his lifetime. With regard to the application, he noted that the Commission was presented with ample new evidence and feedback by citizens and experts that was not provided before. Commissioner Hassett explained his assessment of the application as it relates to the regulatory criteria, and said he is concerned about a number of factors. He is concerned about the truck traffic and the safety/suitability of Dug Road especially since it doesn't conform to current standards. Commissioner Hassett noted that there are more people living in the area now and many of them testified about their concerns about fumes, dust, property values, and safety. Though there has been no history of accidents, and the Town Engineer and Police Department have indicated their support of the application, he said he weighed the pros and cons of all of the testimony he heard, and doesn't think it's appropriate to disregard the community's concerns about their general welfare and safety. Commissioner Hassett said he will be voting against the application.

Chairman Purtill said she agrees with Commissioner Hassett's comments, and that she can't approve the application as proposed; a better balance needs to be achieved between the operation and neighbors in the area. With regard to property values, she noted that there has been conflicting testimony, but she would not want to live next to an excavation project. Chairman Purtill said she is concerned about the volume of truckloads involved and assumes that the applicant may file an application for Phase II in the future. She thanked the members of the public for attending these meetings and providing their input.

Commissioner Shaw agreed with his fellow commissioners and said this was a very difficult decision to make. He stated that he sympathizes with the people who live in the area and will be voting against the application.

Secretary Botelho commented that he cannot support the application based on its noncompliance to the regulatory criteria they must consider. He has remaining concerns about too many elements such as traffic, safety, dust and noise.

Commissioner McChesney said he based his decision on the neighbors' and experts' testimony and, after considering all factors, he does not feel that the proposal is safe or consistent with the area. He said he hopes Mr. Dufford can continue his farming activities somehow.

Commissioner Griffin agreed with his fellow commissioners and said he will not be voting in favor of the proposal.

**Result:** Motion fails unanimously. (0-6-0)

Commissioner Griffin was unseated and Commissioner Zanolungo was reelected.

**2. Application of A.T. Capital Group Connecticut, LLC for a Section 6.6 Special Permit—request for a waiver from the 1,000 foot distance requirement between 2 eating & drinking establishments AND and a Section 12.9 Minor Change – change of use to add 2 eating & drinking establishments - 2249 New London Turnpike – Planned Business & Development Zone**

Attorney Meghan Hope, representing the applicant, appeared before the Commission to present the application. She noted that the Plans Review Subcommittee reviewed the proposal at their meeting on December 6, 2017. The applicant is seeking to change the use of two tenant spaces from retail and a daycare to two additional restaurants. Attorney Hope explained that the two new restaurants would need a waiver to allow them to be located within 1,000 feet of each other and within 1,000 feet of the existing pizza restaurant. The applicant is also requesting to remove the conditions of approval from the 1986 special permit that limited the number of restaurants in the plaza and required that the restaurants use disposable plates and utensils. Attorney Hope noted that the site is now serviced by MDC water and the septic system was recently upgraded to meet current standards. There is enough parking on the site for the new and existing uses.

Jonathan Sczurek, P.E., Megson, Heagle & Friend, C.E. & L.S., LLC, reviewed the site plan. He explained that the parking lot and landscaping on the site would be updated, and a new dumpster enclosure would be constructed of white vinyl fencing. Mr. Sczurek confirmed that the applicant would comply with the Fire Marshal's request that appropriate marking signs be posted along the back of the tenant spaces to help with identification for deliveries and emergency access. He also confirmed that the existing daycare equipment and donation dumpsters on the site will be removed. Mr. Sczurek then reviewed the proposed septic system that was approved by the State Health Department in February.

Chairman Purtill called for public comment but no one spoke so she closed the public hearing on this matter.

**Motion By:** Secretary Botelho

**Seconded:** Commissioner Shaw

MOVED, that the Town Plan and Zoning Commission approves the application of A.T. Capital Group Connecticut, LLC for a Section 6.6 Permit – waiver of 1000 foot distance requirement between retail trade eating and drinking establishments – and a 12.9 Minor Change—change 2 existing tenant spaces to restaurants – 2249 New London Turnpike – Planned Business and Development and Rural Residential Zone, in accordance with the following plan, on file in the Office of Community Development and on the Town land records:

“SITE PLAN 2249 NEW LONDON TURNPIKE PREPARED FOR FLATIRON REAL ESTATE ADVISORS, LLC GLASTONBURY, CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CH. BY: JLH DRW. BY: ZTA DATE: 9-11-17 SCALE: 1”=40’ SHEET 1 OF 3 MAP NO. 90-14-1SP



And

1. As part of the approval of this Special Permit, the following 3 conditions of approval that were part of the Special Permit granted on April 15, 1986 and its modification granted on September 3, 1986 are hereby removed:
  - a. Total number of restaurant seats permitted at the site is limited to 32.
  - b. Total square footage of restaurant space allowed on site is 1,200 square feet.
  - c. Food service limited to use of paper/disposable containers and utensils; no automatic dishwasher unless connected to sanitary sewer.
2. In compliance with:
  - a. Standards contained in a report from the Fire Marshal, File #18-013, plans reviewed 03-19-18.
3. In adherence to:
  - a. The Town Engineer's memorandum dated March 15, 2018.
  - b. The Police Chief's memorandum dated March 13, 2018.
  - c. The Health Department Director's memorandum dated March 19, 2018.

**Discussion:** Chairman Purtill said the site needs work but has a lot of potential and she is looking forward to seeing the updates. She said she will be voting in favor of the application.

**Result:** Motion passes unanimously. (6-0-0)

**3. Application of 49 Sycamore, LLC for a Section 12 Special Permit with Design Review – construction of a new dental office building & associated infrastructure – 49 Sycamore Street – Town Center Zone**

Attorney Peter Alter, representing the applicant, appeared before the Commission to present the application to construct a 4,448 square foot, two-story medical office building. The proposal was reviewed by the Plans Review Subcommittee on October 25, 2017 and December 6, 2017. The Community Beautification Committee approved the proposed landscape plan (with some changes) and the Conservation Commission has provided their favorable recommendation for the project. Attorney Alter reviewed the history of the proposed site layout, noting that the applicant worked with the Subcommittee to come up with the best option for an attractive streetscape in the center of Town. He then reviewed a PowerPoint presentation showing aerial images of Sycamore Street and reviewed existing uses in the area.

Mark Friend, P.E., Megson, Heagle & Friend, C.E. & L.S., LLC, continued the presentation with a review of the site development plan, topography, parking, and stormwater management. Attorney Alter provided a summary of how the proposal meets the requirements of the zone with regard to building coverage and open space, floor area ratio and parking. He described the landscape plan in greater detail, noting that great efforts were made to maintain the site's specimen trees. Attorney Alter presented a cross-section depiction of the proposed retaining



NOTE ADDED REV. 2-7-18 TOWN COMMENTS REV. 2-19-18 TOWN COMMENTS REV. 2-27-18 TRANSFORMER & GENERATOR PAD RELOCATED”

“SITE PLANTING PLAN SITE DEVELOPMENT PLAN FOR 49 SYCAMORE STREET GLASTONBURY, CONNECTICUT CR3 LLP 571 HOPMEADOW STREET SIMSBURY, CT (860) 658-1988 FAX (860) 658-1217 SCALE 1”=20’ DATE 02.16.18 PROJ. NO. 2017021.00 SHEET NO. L.1”

“MATERIALS BOARD DISTEFANO DMD BUILDING 40 SYCAMORE ROAD GLASTONBURY, CT TECTON ARCHITECTS PC HARTFORD, CT WESTERLY RI 860 548 0802 [WWW.TECTONARCHITECTS.COM](http://WWW.TECTONARCHITECTS.COM) ISSUE DATE: 12/6/2017 PROJECT NO: DST-01-AR SCALE: ¼”=1’-0” PROJECT MANAGER: MT PRODUCTION LEADER: LT SDS-D”

“MEP SITE UTILITIES PLAN DISTEFANO DMD BUILDING 49 SYCAMORE ROAD GLASTONBURY, CT TECTON ARCHITECTS PC HARTFORD, CT WESTERLY RI 860 548 0802 [WWW.TECTONARCHITECTS.COM](http://WWW.TECTONARCHITECTS.COM) ISSUE DATE: 09/01/2017 PROJECT NO: 17-380 SCALE: 1”=10’-0” MESU-1”

And

1. In compliance with:
  - a. The recommendations as contained in the minutes of the December 13, 2017 Community Beautification Committee meeting.
  - b. The standards contained in a report from the Fire Marshal, File 18-014, plans reviewed 03-19-18.
2. In adherence to:
  - a. The Town Engineer’s memorandum dated March 14, 2018.
  - b. The Health Director’s memorandum dated March 16, 2018.
  - c. The Police Chief’s memorandum dated March 13, 2018.
  - d. The conditions set forth by the Conservation Commission at their Regular Meeting of February 1, 2018, in their recommendation for approval to the Town Plan and Zoning Commission.

**Result:** Motion passes unanimously. (6-0-0)

## **REGULAR MEETING**

### **1. Informal session for the purpose of hearing from citizens on Regular Meeting agenda or non-agenda items**

No citizens came forward to speak.

### **2. Acceptance of Minutes of the February 28, 2018 Special Meeting**

**Motion By:** Secretary Botelho **Seconded:** Commissioner Zanolungo  
MOVED, that the Town Plan and Zoning Commission accepts the minutes of the special meeting of February 28, 2018 as presented with the following correction:

- Page 6, third paragraph, change Commissioner Griffin to Commissioner McChesney

**Result:** Motion passes unanimously. (6-0-0)

**3. Application of 4GATTS, LLC & 12 MELROSE STREET LLC for a Section 12.9 Minor Change – expansion of parking lot onto 21 Melrose Street – 277-283 Hebron Avenue & 21 Melrose Street – Town Center and Residence A Zones – Attorneys Peter Alter & Meghan Hope**

Attorney Meghan Hope, representing the applicant, appeared before the Commission to present the minor change application. She stated that the applicant is proposing to expand the existing parking lot for 277 Hebron Avenue to the north onto a portion of property located at 21 Melrose Street; the owner has recently acquired the lot at 21 Melrose Street. Attorney Hope explained that a lot line adjustment would be done and an additional 10 parking spaces for the existing business are proposed to be constructed.

Jonathan Sczurek, P.E., Megson, Heagle & Friend, C.E. & L.S., LLC, reviewed the proposed parking lot expansion and stormwater management plan. He noted that the parking lot would be enclosed by 8-foot tall PVC fencing as screening for adjacent properties. Mr. Sczurek also noted that lighting for the proposed parking lot expansion would consist of one additional dark-sky compliant LED pole light.

Chairman Purtill said that it is great to hear that the applicant's business is doing well and needs to expand.

**Motion By:** Secretary Botelho **Seconded:** Commissioner Shaw  
MOVED, that the Town Plan and Zoning Commission approves the application of 4 GATTS, LLC and 21 Melrose Street, LLC for a Section 12.9 Minor Change – 277 Hebron Avenue & 21 Melrose Street – expansion of parking lot – Town Center and Residence A Zones– in accordance with the following plan, filed in the Office of Community Development and on the Town land records:

“PROPOSED PARKING EXPANSION 277-283 HEBRON AVENUE PREPARED FOR 4GATTS, LLC GLASTONBURY CONN. MEGSON, HEAGLE & FRIEND 81 RANKIN ROAD GLASTONBURY, CONN. 06033 PHONE (860)-659-0587 CH. BY: JLH DRW. BY: JHS DATE: 2-20-18 SCALE: 1”=20’ SHEET 1 OF 1 MAP NO. 76-14-1SPM”

And

1. Compliance with the standards contained in a report from the Fire Marshal, File# 18-015, plans reviewed 03-19-18.

2. Adherence to:
  - a. The Town Engineer’s memorandum dated March 15, 2018.
  - b. The Health Department Director’s memorandum dated March 16, 2018.
  - c. The Police Chief’s memorandum dated March 13, 2018.
  
3. This is a Section 12.9 Minor Change. If unforeseen conditions are encountered during construction that would cause deviation from the approved plans, the applicant shall consult with the Office of Community Development to determine what further approvals, if any, are required.

**Result:** Motion passes unanimously. (6-0-0)

**4. Application of Kerriane Cannon for a Section 12.9 Minor Change – exterior architectural changes to the Chili’s Restaurant - 2855 Main Street – Planned Business & Development Zone – Pepper Dining Inc., owner**

Kerriane Cannon, representing Chili’s Restaurant, appeared before the Commission to present the application for exterior architectural changes which include new building color, awnings and signage. The exterior façade would be repainted with a new color scheme, the exterior building lamps would be painted black, and the existing awning fabric would be replaced with new solid black awning fabric. In addition, two existing wall signs would be replaced and the existing ground sign would be refaced.

The commissioners agreed that they did not like the presented alternate roof band design option with an orange LED border.

Chairman Purtill said she thought the ground sign for Edge Fitness was approved as a combination sign with Chili’s for the common driveway entrance. Mrs. Dodds said she would pull the file to confirm, and Chairman Purtill thanked her and suggested having the applicant come back to Subcommittee for review and final approval of the ground sign.

**Motion By:** Secretary Botelho

**Seconded:** Commissioner Shaw

MOVED, that the Town Plan and Zoning Commission approves the application for a Section 12.9 Minor Change for exterior architectural changes to the existing Chili’s Restaurant at 2855 Main Street– Planned Business and Development (PBD) Zone, in accordance with plans on file with the Office of Community Development, and in compliance with the following conditions:

1. This is a Section 12.9 Minor Change. If unforeseen conditions are encountered during construction that would cause deviation from the approved plans, the applicant shall consult with the Office of Community Development to determine what further approvals, if any, are required.
  
2. The proposed ground sign shall be reviewed and subject to final approval by the Plans Review Subcommittee.

**Result:** Motion passes unanimously. (6-0-0)

**5. Application of Philip Doyle for a Section 12.9 Minor Change – change of location for Building H at Gateway IV – 295 Western Boulevard – Planned Employment Zone – HTA-Gateway 4G LLC, owner**

Philip Doyle, LADA, P.C., appeared before the Commission to present the minor change application for the Gateway IV project. He explained that they would like to change the location of approved Building H (38 feet to the east of the originally approved location) to accommodate an existing tenant and to allow flexibility for possible future development on the site.

John Manners, AIA, CASLE Corporation, described the potential future development opportunities on the site and in the area.

Chairman Purtill commented that it is wonderful to have these medical service offerings in Town and she is happy to see their success.

**Motion By:** Secretary Botelho

**Seconded:** Commissioner Shaw

MOVED, that the Town Plan and Zoning Commission approves the application of Gateway 4G, LLC for a Section 12.9 Minor Change – 295 Western Boulevard – change of location for approved building “H” for Gateway Phase IV – Planned Employment (PE) Zone– in accordance with the following plans, as filed in the Office of Community Development, with the asterisked plan also filed on the Town’s land records:

“SITE DATE & NOTES – PHASE 3 RELOCATION OF BUILDING H GLASTONBURY GATEWAY IV WESTERN BOULEVARD GLASTONBURY, CONNECTICUT THE CASLE CORPORATION 200 FISHER DRIVE AVON, CONNECTICUT LADA, P.C. LAND PLANNERS 104 WEST STREET SIMSBURY, CT 06070 (860) 651-4971 BREWSTER, NY 10509 (845) 278-7424 JWM ARCHITECTURAL GROUP DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: [JIMD@DUTTONASSOCIATESLLC.COM](mailto:JIMD@DUTTONASSOCIATESLLC.COM) CLARK ENGINEERING CIVIL ENGINEERING 26 BUSHY HILL ROAD, P.O. BOX 419 GRANBY, CT 06035-0419 TELE: (860) 653-4352 FAX: (860) 653-0415 FRESHWATER WETLAND SERVICES P.O. BOX 233 GRANVILLE, MA 01034 TELE: (413) 695-2195 [FRESHWATERWETLAND@GMAIL.COM](mailto:FRESHWATERWETLAND@GMAIL.COM) PROJECT: 1972 SCALE: AS SHOWN DATE: 02/12/18 CHECKED BY: PED DRAWING NO. L-2”

“PHASE 3 LAYOUT & MATERIALS PLAN RELOCATION OF BUILDING H GLASTONBURY GATEWAY IV WESTERN BOULEVARD GLASTONBURY, CONNECTICUT THE CASLE CORPORATION 200 FISHER DRIVE AVON, CONNECTICUT LADA, P.C. LAND PLANNERS 104 WEST STREET SIMSBURY, CT 06070 (860) 651-4971 BREWSTER, NY 10509 (845) 278-7424 JWM ARCHITECTURAL GROUP DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY,

CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: [JIMD@DUTTONASSOCIATESLLC.COM](mailto:JIMD@DUTTONASSOCIATESLLC.COM) CLARK ENGINEERING CIVIL ENGINEERING 26 BUSHY HILL ROAD, P.O. BOX 419 GRANBY, CT 06035-0419 TELE: (860) 653-4352 FAX: (860) 653-0415 FRESHWATER WETLAND SERVICES P.O. BOX 233 GRANVILLE, MA 01034 TELE: (413) 695-2195 [FRESHWATERWETLAND@GMAIL.COM](mailto:FRESHWATERWETLAND@GMAIL.COM) PROJECT: 1972 SCALE: 1"=30' DATE: 03/07/18 DRAWN BY: CB CHECKED BY: PED DRAWING NO. L-4c"

\*"PHASE 3 PLANTING PLAN RELOCATION OF BUILDING H GLASTONBURY GATEWAY IV WESTERN BOULEVARD GLASTONBURY, CONNECTICUT THE CASLE CORPORATION 200 FISHER DRIVE AVON, CONNECTICUT LADA, P.C. LAND PLANNERS 104 WEST STREET SIMSBURY, CT 06070 (860) 651-4971 BREWSTER, NY 10509 (845) 278-7424 JWM ARCHITECTURAL GROUP DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: [JIMD@DUTTONASSOCIATESLLC.COM](mailto:JIMD@DUTTONASSOCIATESLLC.COM) CLARK ENGINEERING CIVIL ENGINEERING 26 BUSHY HILL ROAD, P.O. BOX 419 GRANBY, CT 06035-0419 TELE: (860) 653-4352 FAX: (860) 653-0415 FRESHWATER WETLAND SERVICES P.O. BOX 233 GRANVILLE, MA 01034 TELE: (413) 695-2195 [FRESHWATERWETLAND@GMAIL.COM](mailto:FRESHWATERWETLAND@GMAIL.COM) PROJECT: 1972 SCALE: 1"=30' DATE: 03/07/18 CHECKED BY: PED DRAWING NO. L-5c"

"PLANT LISTS & PLANTING DETAILS GLASTONBURY GATEWAY IV WESTERN BOULEVARD GLASTONBURY, CONNECTICUT THE CASLE CORPORATION 200 FISHER DRIVE AVON, CONNECTICUT LADA, P.C. LAND PLANNERS 104 WEST STREET SIMSBURY, CT 06070 (860) 651-4971 BREWSTER, NY 10509 (845) 278-7424 JWM ARCHITECTURAL GROUP DUTTON ASSOCIATES, LLC 67 EASTERN BOULEVARD GLASTONBURY, CONNECTICUT 06033 TEL: 860-633-9401 FAX: 860-633-8851 EMAIL: [JIMD@DUTTONASSOCIATESLLC.COM](mailto:JIMD@DUTTONASSOCIATESLLC.COM) CLARK ENGINEERING CIVIL ENGINEERING 26 BUSHY HILL ROAD, P.O. BOX 419 GRANBY, CT 06035-0419 TELE: (860) 653-4352 FAX: (860) 653-0415 FRESHWATER WETLAND SERVICES P.O. BOX 233 GRANVILLE, MA 01034 TELE: (413) 695-2195 [FRESHWATERWETLAND@GMAIL.COM](mailto:FRESHWATERWETLAND@GMAIL.COM) PROJECT: 1972 SCALE: 1"=30' DATE: 06/12/13 DRAWN BY: CB CHECKED BY: PED DRAWING NO. L-5e REVISIONS 06/21/13 WETLAND 07/11/13 WETLAND SUB 07/31/13 ZONING 10/30/13 MYLAR FILING 12/06/13 REVISIONS 09/03/14 TOWN PLANNER 03/06/15 REVISIONS 03/07/18 REVISIONS"

And

1. Compliance with the standards contained in a report from the Fire Marshal, File #18-008, plans reviewed 03-19-18.
2. Adherence to:
  - a. The Town Engineer's memorandum dated March 16, 2018.

- b. The Health Department Director’s memorandum dated March 16, 2018.
  - c. The Police Chief’s memorandum dated March 13, 2018.
3. This is a Section 12.9 Minor Change. If unforeseen conditions are encountered during construction that would cause deviation from the approved plans, the applicant shall consult with the Office of Community Development to determine what further approvals, if any, are required.

**Result:** Motion passes unanimously. (6-0-0)

**6. Section 8-24 Connecticut General Statutes Referral from the Town Council regarding the purchase of 50+ acres at 297 Matson Hill Road known as the Rose Parcel**

Mrs. Dodds presented the referral from the Town Council, noting that the proposal satisfies a number of goals and objectives of the Plan of Conservation and Development. The parcel is 50+ easterly acres of the Rose property located off Matson Hill Road which adjoins the Town-owned former Slocumb Mill parcel.

**Motion By:** Secretary Botelho **Seconded:** Commissioner Shaw  
RESOLVED, that the Plan and Zoning Commission of the Town of Glastonbury forwards a favorable recommendation to the Town Council for the acquisition of the easterly portion of 297 Matson Hill Road, 50 + acres. This action is pursuant to Section 8-24 of the General Statutes of Connecticut as the acquisition of this parcel is consistent with the policies of the Town of Glastonbury Plan of Conservation and Development.

**Result:** Motion passes unanimously. (6-0-0)

**7. Section 8-24 Connecticut General Statutes Referral from the Town Council regarding the purchase of 2 parcels, Assessor’s Lots W7 & W8, equaling 44 acres off Chamberlain Lane**

Mrs. Dodds presented the referral from the Town Council, noting that the proposal satisfies a number of goals and objectives of the Plan of Conservation and Development. The two parcels are located off Chamberlain Lane and the acreage connects to the 21.5-acre Reardon parcel off Hickory Drive (purchased by the Town in 2006).

**Motion By:** Secretary Botelho **Seconded:** Commissioner Shaw  
RESOLVED, that the Plan and Zoning Commission of the Town of Glastonbury forwards a favorable recommendation to the Town Council for the acquisition of Assessor’s lots W-7 and W-8 on Chamberlain Lane. This action is pursuant to Section 8-24 of the General Statutes of Connecticut as the acquisition of these parcels of land is consistent with the policies of the Town of Glastonbury Plan of Conservation and Development.

**Result:** Motion passes unanimously. (6-0-0)



**8. Section 8-24 Connecticut General Statutes Referral from the Town Council regarding the purchase of development rights for the Howe property at 207 Keeney Street near Howe Road**

Mrs. Dodds presented the referral from the Town Council, noting that the proposal satisfies a number of goals and objectives of the Plan of Conservation and Development. The proposal involves the purchase of development rights to the 46.5 +/- acre Howe parcel located off Keeney Street near Howe Road, and complements the pending purchase of MDC lands and other contiguous or nearby Town-owned open space.

**Motion By:** Secretary Botelho **Seconded:** Commissioner Shaw  
RESOLVED, that the Plan and Zoning Commission of the Town of Glastonbury forwards a favorable recommendation to the Town Council for the purchase of development rights for 207 Keeney Street-Howe property. This action is pursuant to Section 8-24 of the General Statutes of Connecticut as the purchase of development rights for this parcel is consistent with the policies of the Town of Glastonbury Plan of Conservation and Development.

**Result:** Motion passes unanimously. (6-0-0)

**Motion By:** Secretary Botelho **Seconded:** Commissioner Zanolungo  
MOVED, that the Town Plan and Zoning Commission approves the following Consent Calendar dated Thursday, March 22, 2018:

**9. CONSENT CALENDAR**

- a. **Scheduling of Public Hearings for Regular Meeting of April 3, 2018:**
  - 1. Application of Scotland Hardwoods LLC for a Section 12 Special Permit with Design Review for a timber harvest on land including 1925 New London Turnpike – Rural Residence Zone – Paul Cesana, owner
- b. **Final Release of Maintenance Bond – Accornero Subdivision, Phase III**
- c. **Recommendation to the Town Council that Accornero Lane from Station 9 + 15 to Station 12 + 32.41 be accepted as Town Road, within the Accornero Subdivision, Phase III**

**Result:** Motion passes unanimously. (6-0-0)

**10. Chairman's Report – NONE**

**11. Report from Community Development Staff – NONE**

**Motion By:** Secretary Botelho                                  **Seconded:** Commissioner Zanlungo  
MOVED, that the Town Plan and Zoning Commission adjourns their special meeting of March  
22, 2018 at 10:33 P.M.

**Result:** Motion passes unanimously. (6-0-0)

Respectfully Submitted,  
**Amy M. Pallotti**  
Amy M. Pallotti  
Recording Clerk  
Recording Clerk